

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA

Plaintiff,

VS.

KENNETH EARL BROOKS

Defendant,

2:16-cr-00193-KJD-VCF

MINUTES OF THE COURT

Dated: December 6, 2016

PRESENT:

THE HONORABLE **KENT J. DAWSON, U.S. DISTRICT JUDGE**

DEPUTY CLERK: DENISE SAAVEDRA

COURT REPORTER: HEATHER NEWMAN

PRESENT FOR PLAINTIFF: PHILLIP SMITH AND KILBY MACFADDEN, AUSA

PRESENT FOR DEFENDANT: HEIDI OJEDA AND SHARI KAUFMAN, AFPD

JURY TRIAL - DAY 2

Proceedings begin at 10:19 a.m. Defendant is present. Officer Michael Loving is present as case agent.

Outside the presence of the jury, the Court hears representations from Defense counsel as to Motion for Limiting Instruction [77], and Motion for Mistrial [78].

**Officer Celaya** is sworn to testify as a witness for the Government. Ms. Macfadden examines the witness. Ms. Macfadden passes the witness for cross examination. Ms. Kaufman cross examines the witness. Government exhibit 10 is marked. After further examination by Ms. Macfadden and Ms. Kaufman the witness is excused.

**Officer Lopez** is sworn to testify as a witness for the Government. Mr. Smith examines the witness. Mr. Smith passes the witness for cross examination. Ms. Ojeda cross examines the witness. After further examination by Mr. Smith and Ms. Ojeda, the witness is excused.

Proceedings recess from 12:20 p.m. - 1:32 p.m.

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**Officer Atwood** is sworn to testify as a witness for the Government. Mr. Smith examines the witness. Government exhibits 2-4, 2-5, and 2-7 are marked and admitted. Mr. Smith passes the witness for cross examination. Ms. Kaufman cross examines the witness. Defense exhibit 502, 505 is marked and admitted. After further examination by Mr. Smith and Ms. Kaufman, the witness is excused.

**Detective Schallipp** is sworn to testify as a witness for the Government. Ms. Macfadden examines the witness. Ms. Macfadden passes the witness for cross examination. Ms. Kaufman cross examines the witness.

Proceedings recess from 3:17 p.m. - 3:30 p.m.

Outside the presence of the jury, matters are addressed.

Jurors are present at 3:49 p.m.

**Detective Schallipp** resumes the witness stand as witness for the Government. Ms. Macfadden examines the witness. Government exhibit 3 is marked and admitted. After further examination by Mr. Kaufman and Ms. Macfadden, the witness is excused.

**Detective Edwards** is sworn to testify as a witness for the Government. Mr. Smith examines the witness.

Jurors are admonished at 4:57 p.m.

Proceedings recess at 4:59 p.m.

**IT IS ORDERED** that the jury trial is continued to Wednesday, December 7, 2016 at 9:30 A.M..

**LANCE S. WILSON, CLERK**  
**UNITED STATES DISTRICT COURT**

/s/ Denise Saavedra  
DEPUTY CLERK